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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/657,189

09/09/2003

Joseph E. Legare

Legare-PAUS0003

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WOLFF LAW OFFICE, PLLC
P.O. BOX 9855
CHAPEL HILL, NC 27515-9855

EXAMINER

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ART UNIT

PAPER NUMBER

3748

MAIL DATE

DELIVERY MODE

01/19/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOSEPH E. LEGARE

Application No. 10/657,189
Technology Center 3700

Mailed: January 19, 2010

Before PAMELA S. BENNETT, *Paralegal Specialist*.
BENNETT, *Paralegal Specialist*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on January 11, 2010. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief and Amendment After Final¹ were filed in this application on August 10, 2009. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II, or the Amendment After Final.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to consider the Reply Brief and Amendment after Final filed August 10, 2009, as indicated above;
- 2) to have the Reply Brief listed on the PALM Content Information page; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

PSB

Wolff Law Office, PLLC
P.O. Box 9855
Chapel Hill, NC 27515-9855

¹ It is noted that the Reply Brief has not been listed on the PALM Content Information page. Correction is required.